

**MINUTES**  
**HEARING INSTRUMENT SPECIALIST BOARD**  
**October 11, 2006 - 9:00 A.M.**  
**Room 402 - Fourth Floor - Heber Wells Bldg.**  
**160 East 300 South**  
**Salt Lake City, Utah**

**CONVENED:** 9:04 a.m.

**ADJOURNED:** 11:21 a.m.

**PRESENT:**

Mr. Clyde Ormond, Bureau Manager  
Jacky Adams, Board Secretary

Board Members:

Bruce Sharp	Paul Littlefield
Morris Mower	Lowell Brown
Kent Milligan	

**ABSENT:**

**GUESTS:**

Darlene Saiz, Utah Association of Health Professionals; Kiely Ball

**TOPICS FOR DISCUSSION:**

**DECISIONS AND RECOMMENDATIONS:**

**ADMINISTRATIVE BUSINESS:**

Re-elect Chairperson

A motion was made by Mr. Littlefield seconded by Mr. Mower to re-elect Mr. Sharp as the Chairperson for the upcoming year, the motion carried unanimously.

Approve Minutes from  
July 12, 2006 meeting

Mr. Mower seconded by Mr. Littlefield made a motion to approve the Minutes from the July 12, 2006 Board Meeting as written, the motion carried unanimously.

**APPOINTMENTS:**

9:15 a.m. - Card, Dane

Mr. Card met with Board to review his application for licensure as a Hearing Instrument Intern, with Ms. Molly LeRoy as his supervisor. Ms. LeRoy currently has one Intern who is on indirect supervision.

Mr. Littlefield seconded by Mr. Milligan made a motion to approve Mr. Cards license, the motion carried unanimously.

9:30 a.m. – Hales, Michayle

Ms. Hales met with Board to review her application for licensure as a Hearing Instrument Intern, with Ms. DeVt Evertsen as her

supervisor. Ms. Evertsen currently has one Intern who is on indirect supervision.

Mr. Brown seconded by Mr. Littlefield made a motion to approve Ms. Hales license, the motion carried unanimously.

9:45 a.m. – Neilson, Mark III

Mr. Neilson met with the Board to review his application for Reinstatement of licensure as a Hearing Instrument Specialist. Mr. Neilson initially received licensure on May 10, 1983. This license was then placed on probation on February 20, 2002 for the period of two-years with restrictions:

- 1) Work only under Supervision
- 2) Submit monthly "Employer Reports"
- 3) Meet with the Board Quarterly
- 4) Written notification of any Counseling
- 5) If Counseling begins the counselor must submit quarterly reports
- 6) Random Drug and Alcohol testing
- 7) Continue attending AA (Alcoholics Anonymous) meetings

Due to non-compliance of Mr. Neilson's Probation his license was revoked on December 27, 2002.

Mr. Ormond explained that the Division needed some guidance in the case:

- 1) Does Mr. Neilson need to meet current qualifications for licensure?
- 2) What status of license can be issued due to the past history with this licensee?

Mr. Neilson explained that his situation is completely different, from what it was in 2002. He has gone back to school to study Engineering, is still attending AA meetings, and feels he is a different person. He further explained he has contacted NBCHIS (National Board of Certification in Hearing Instrument Sciences), they will allow Mr. Nielson to reinstate his certification with them if this Board will allow licensure.

Mr. Brown questioned Mr. Nielson on where he planed to practice; Mr. Nielson explained that his intention was to work within a current practice.

10:41 a.m. Closed Meeting

Mr. Milligan seconded by Mr. Mower made a motion to go into a "Closed Meeting" to discuss all aspects of Mr. Nielson's previous probation, the motion carried unanimously.

11:09 a.m. Re-opened Meeting

Mr. Brown seconded by Mr. Mower made a motion to return to an "Open Meeting", the motion carried unanimously.

Mr. Milligan seconded by Mr. Littlefield made a motion to require that Mr. Nielson undergo:

- 1) A Psychological Evaluation, which will determine what disabilities Mr. Nielson has, and if he has over come all past issues with Drug and Alcohol abuse.
- 2) Submit a complete copy of all parole, probation documents, and his pre-sentence report.
- 3) Mr. Ormond will get an opinion from the Attorney Generals office to determine if a Hearing Instrument Intern or Specialist license may be issued in this situation,

the motion carried with Mr. Brown abstaining.

10:00 a.m. – Handy, Todd

Mr. Ball met with Board to review Mr. Handy's application for licensure as a Hearing Instrument Intern, with Mr. Kelly Ball as his supervisor. Mr. Ball currently does not have any Intern's working under his license.

Mr. Milligan seconded by Mr. Littlefield made a motion to approve Mr. Handy's license, the motion carried unanimously.

**DISCUSSION ITEMS:**

DOPL Investigation Closed  
Case Review

Mr. Downard did not attend this meeting, no action was taken.

Application approval review

Mr. Ormond explained to the Board that due to a clerical error in the past the Board had requested to review each application prior to a license being issued. This decision has caused several individuals to need to wait up to three months prior to obtaining licensure. Mr. Ormond suggested that by revising the "Checklist" the Licensing Specialists use to process applications this might reduce the possibility of errors on the Divisions part. And if this is done would the Board prefer to continue to review each

application or the Division reviews the applications and determines eligibility for licensure.

It was determined that the Division will update the "Checklist", then a Board Member will be chosen to review complete applications as they are submitted to the Division. If any unusual circumstances arise the applications will be reviewed at the next Board Meeting.

Mr. Littlefield seconded by Mr. Milligan made a motion to have Mr. Sharp, Mr. Brown, and Mr. Littlefield approve complete applications between Board Meetings as needed, the motion carried unanimously.

#### Licensure for Out of State Applicants

It has come to the Divisions attention that Utah's requirements for licensure are much more stringent compared to surrounding States. Mr. Ormond expressed a concern that due to these differences this may pose a risk to the "Public Health, Safety and Welfare". Mr. Ormond questioned the Board concerning changing 58-46a-302 (1)(d)(ii) "Qualifications for Licensure", to reflect all licenses applying by endorsement must submit proof of passing:

- Utah Law and Rule Exam;
- Practical Exam;
- NIHISE (National Institute for Hearing Instrument Studies and Exam);
- ILE (International Licensing Exam); and
- NBCHIS (National Board of Certification in Hearing Instrument Sciences).

Mr. Sharp commented that as long as Utah requires proof of two-years of licensed experience, plus passing NBCHIS and Utah Law and Rules exams, he did not feel this was an issue. Mr. Brown, and Mr. Littlefield commented that they agreed with Mr. Ormond if Utah Intern licenses must pass these exams all licenses should be required as well. Mr. Sharp then added that if a licensee can pass the NBCHIS the ILE is a "mute point."

Mr. Mower noted that each case needs to be reviewed on a case-by-case basis. Mr. Sharp agreed stating that the current statute language seems to allow this. It was commented that the Division might want to clarify that two-

years of licensed practice must be as a Hearing Instrument Specialist. Mr. Ormond agreed.

**CORRESPONDENCE:**

Utah Law & Rule Exam Pass Rates

The Board Reviewed, with no action taken.

**NEXT SCHEDULED MEETING:**

January 10, 2007

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DATE APPROVED

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CHAIRPERSON, HEARING INSTRUMENT  
SPECIALIST BOARD

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DATE APPROVED

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BUREAU MANAGER, DIVISION OF  
OCCUPATIONAL & PROFESSIONAL  
LICENSING